

AMENDED IN SENATE JANUARY 17, 2006

AMENDED IN SENATE JANUARY 4, 2006

AMENDED IN SENATE MAY 4, 2005

SENATE BILL

No. 782

Introduced by Senator Escutia
(Coauthor: Senator Alquist)

February 22, 2005

~~An act to amend Section 315 of, and to add Sections 316.5~~ *An act to add Sections 315.5, 316.5, and 317 to, the Education Code, relating to English language education, and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

SB 782, as amended, Escutia. English language tutoring.

Proposition 227, an initiative statute, approved by the voters at the June 2, 1998, statewide primary election, requires the state to encourage family members and others to provide personal English language tutoring to children coming from backgrounds of limited English proficiency. That existing law appropriates a sum of \$50,000,000 per year for these purposes from the General Fund for the fiscal year in which the initiative was enacted and for each of the 9 fiscal years following thereafter.

This bill would appropriate the sum of \$50,000,000 ~~for these purposes from the General Fund for one additional fiscal year beyond those provided for in the initiative~~ *to the Superintendent of Public Instruction for disbursement to local school boards during the 2007-08 fiscal year for these purposes.*

The bill would require each local educational agency, as a condition for receiving funding ~~under from the appropriation for the additional fiscal year made under the bill,~~ to develop a plan, to be approved by

the local governing board, certifying that the agency will do certain things relating to providing personal English language tutoring to children coming from backgrounds of limited English proficiency.

The bill would require the State Department of Education to evaluate specified performance accountability measures to ascertain the effectiveness of the program services established pursuant to ~~that~~ *the initiative and the bill*. The bill would require each local education agency that receives funding ~~pursuant to the initiative from the appropriation made under the bill~~, by September 1, 2008, and each September 1, thereafter, to prepare and submit a report to the State Board of Education on its achievements in accordance with the specified performance accountability measures. The bill would require the department to prepare a final report on its findings with regard to the performance accountability measures and submit the report to the Legislature and the Governor by June 30, 2012.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 *SECTION 1. Section 315.5 is added to the Education Code, to*
2 *read:*
3 *315.5. (a) In furtherance of its constitutional and legal*
4 *requirement to offer special language assistance to children*
5 *coming from backgrounds of limited English proficiency, the*
6 *state shall encourage family members and others to provide*
7 *personal English language tutoring to those children, and*
8 *support these efforts by raising the general level of English*
9 *language knowledge in the community.*
10 *(b) Programs funded under this section shall be provided*
11 *through schools or community organizations. Funding for these*
12 *programs shall be administered by the Superintendent, and shall*
13 *be disbursed at the discretion of the local school boards, under*
14 *reasonable guidelines established by, and subject to the review*
15 *of, the state board.*
16 *(c) The sum of fifty million dollars (\$50,000,000) is hereby*
17 *appropriated from the General Fund to the Superintendent for*
18 *disbursement to local school boards during the 2007–08 fiscal*
19 *year for the purpose of providing additional funding under this*
20 *section for free or subsidized programs of adult English*

1 *language instruction to parents or other members of the*
2 *community who pledge to provide personal English language*
3 *tutoring to California school children with limited English*
4 *proficiency.*

5 SECTION 1. Section 315 of the Education Code is amended
6 to read:

7 ~~315. In furtherance of its constitutional and legal requirement~~
8 ~~to offer special language assistance to children coming from~~
9 ~~backgrounds of limited English proficiency, the state shall~~
10 ~~encourage family members and others to provide personal~~
11 ~~English language tutoring to children, and support these efforts~~
12 ~~by raising the general level of English language knowledge in the~~
13 ~~community. Commencing with the fiscal year in which this~~
14 ~~initiative is enacted and for each of the 10 fiscal years following~~
15 ~~thereafter, the sum of fifty million dollars (\$50,000,000) per year~~
16 ~~is hereby appropriated from the General Fund for the purpose of~~
17 ~~providing additional funding for free or subsidized programs of~~
18 ~~adult English language instruction to parents or other members of~~
19 ~~the community who pledge to provide personal English language~~
20 ~~tutoring to California school children with limited English~~
21 ~~proficiency.~~

22 SEC. 2. Section 316.5 is added to the Education Code, to
23 read:

24 316.5. (a) The Legislature finds and declares all of the
25 following:

26 (1) The more a parent or guardian is involved in the education
27 of his or her child the better the child will perform in school.

28 (2) English language proficiency is critical to academic
29 success.

30 (b) It is the intent of the Legislature to ~~revise~~ *clarify the goals*
31 *of the Community-Based English Tutoring (CBET) Program in*
32 *order to allow it to serve more effectively its primary purpose of*
33 *providing funding for free or subsidized programs of adult*
34 *English language instruction to parents or individuals in loco*
35 *parenti, who provide and document English language tutoring*
36 *intended to improve the English proficiency of California K-12*
37 *pupils identified as English language learners.*

38 (c) It is further the intent of the Legislature that the adult
39 students participating in the CBET Program make measurable
40 English language learning gains, that the CBET Program be

1 administered in accordance with research-based strategies for
2 teaching English language learners, and that the data developed
3 through the CBET Program be used to inform curriculum,
4 instruction, assessment, research, and in-service staff
5 development.

6 (d) For purposes of this section, the term “parent” includes a
7 parent, guardian, primary caregiver, or individual in loco parenti.

8 (e) As a condition for receiving funding under Section ~~315~~
9 *315.5* for the 2007–08 fiscal year, each local educational agency
10 shall develop a plan, to be approved by the local governing
11 board, certifying that it will do all of the following:

12 (1) Structure a program that will emphasize English
13 acquisition and tutoring skills for parents whose primary
14 language is not English.

15 (2) Whenever possible, agencies are encouraged to operate
16 CBET programs at neighborhood school sites in order to provide
17 full articulation between CBET programs and instructional
18 programs for school-aged English language learners.

19 (3) Describe in its plan how the program will encourage the
20 following:

21 (A) Opportunities for interactive parent-child activities.

22 (B) Opportunities for the parent to become involved at the
23 child’s school.

24 (4) Describe how the program will document the following:

25 (A) Literacy training for adults that leads to English fluency
26 and the ability to provide educational support for children.

27 (B) Development of tutoring skills.

28 (C) Utilization of appropriate curriculum.

29 (5) Describe the projected goals of the program with respect to
30 participant educational achievement and how the agency will
31 measure and report progress in meeting its goals.

32 (6) Leverage available funding from federal, state, and local
33 sources in the area proposed to be served by the agency.

34 (7) Include a program to recruit parents of K-12 English
35 language learners, especially parents of pupils enrolled in K-12
36 ~~schools who are in program improvement or are considered low~~
37 ~~performing under the Academic Performance Index; schools that~~
38 ~~are eligible to participate in the High Priority Schools Grant~~
39 ~~Program established under Article 3.5 (commencing with Section~~
40 ~~52055.600) of Chapter 6.1 of Part 28.~~

SEC. 3. Section 317 is added to the Education Code, to read:

317. (a) The department shall contract with an independent consultant to evaluate the following performance accountability measures to ascertain the effectiveness of the program services established pursuant to Sections 315, 315.5, and 316:

(1) Improvement in adult English as a second language literacy skill levels in reading, writing, and speaking the English language, numeracy, problem solving, and other literacy skills.

(2) Improvements in attendance and academic performance of pupils with limited-English-language proficiency who have received tutoring from adults who have been identified as participants in programs established pursuant to ~~Section 315~~ Sections 315, 315.5, and 316.

(b) To assist the department in evaluating the program, a local educational agency that receives funding under Section ~~315~~ 315.5 shall provide a pretest and a posttest of reading or life skills achievement for English-as-a-second-language pupils. The tests shall be developed by the department.

(c) Each local educational agency that receives funding under Section ~~315~~ 315.5 shall do all of the following:

(1) By September 1, 2008, and each September 1 thereafter, prepare and submit to the department a report on the achievements of the agency in accordance with the performance accountability measures specified in subdivision (a).

(2) Begin collecting data in accordance with the performance accountability measures specified in subdivision (a) at the beginning of the 2007–2008 school year.

(d) The state board shall develop and disseminate a standard form to be used by local educational agencies to collect data in accordance with the performance accountability measures specified in subdivision (a).

(e) By June 30, 2012, the department shall prepare a final report on its findings pursuant to subdivision (a) and submit it to the Legislature and the Governor.

(f) The department shall consult with school districts, adult education administrators, and English learner coordinators in the implementation of this section.

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2	CORRECTIONS:	
3	Text — Page 4.	
4		_____